

**OFFICIAL****PATENT**  
(Docket No. IN-5468)**RECEIVED**  
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NOV 06 2003

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Gary ELLIS et al.

Serial No.: 09/865,138

Filed: May 24, 2001

For: Composition and Method for the In  
Situ Removal of Scale from a  
Substrate

Group Art Unit: 1746

Examiner: Bibi Sharidan Carrillo

I hereby certify that the attached correspondence is being transmitted  
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Alexandria, VA 22313-1450, on the date shown below to the TC1700  
After Final facsimile number at 1-703-872-9311.11-6-2003

Date

Michael Morgan  
Michael MorganCommissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450**TRANSMITTAL SHEET****Enclosed are:**

	<b>Pages</b>
This Transmittal Page in duplicate	2
Request for Continued Examination in duplicate	2
Request for Non-Entry of Previously Filed Unentered Amendment	1
Response Accompanying Request for Continued Examination	9
Total including this cover page	14

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23-3425 any fees necessary for entry of any of the above listed documents. This document is  
submitted in duplicate.

Respectfully submitted,

Michael F. Morgan  
Michael F. Morgan, Esq. (Reg. No. 42,906)  
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BASF Corporation  
26701 Telegraph Road  
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Date: November 6, 2003

PTO/SB/30 (09-03)

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# Request for Continued Examination (RCE) Transmittal

Address to:  
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P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/865,138
Filing Date	06/24/2001
First Named Inventor	Gary D. Ellis
Art Unit	1746
Examiner Name	Bibi Sharden Carrillo
Attorney Docket Number	IN-5468

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☒ Amendment/Reply

ii. ☐ Affidavit(s)/ Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)

b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a. ☒ Deposit Account No. 23-3425

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☒ Extension of time fee (37 CFR 1.138 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Michael F. Morgan	Registration No. (Attorney/Agent)	42,906
Signature	<i>Michael F. Morgan</i>	Date	November 6, 2003

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Michael F. Morgan	Date	11-6-2003
Signature	<i>Michael F. Morgan</i>		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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11-6-2003

Date

Michael Morgan  
Michael Morgan

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

**REQUEST FOR NON-ENTRY OF PREVIOUSLY FILED UNENTERED AMENDMENT**

With the filing of this Request for Continued Examination, please do not enter the amendment  
filed on October 3, 2003.

Respectfully submitted,

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BASF Corporation  
26701 Telegraph Road  
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Date: November 6, 2003